



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JUN 19 2017

CERTIFIED MAIL 7016 1730 0002 0524 3990
RETURN RECEIPT REQUESTED

Phoenix Chemical Company, Inc.
ATTN: Mr. John E. Bryant
Chief Executive Officer
202 Gee Road
Calhoun, Georgia 30701

Re: Supplemental Information Request Pursuant to Section 308 of the Clean Water Act, 33 U.S.C. § 1318, Phoenix Chemical Company, Inc., Calhoun, Gordon County, Georgia, Permit No. 1

Dear Mr. Bryant:

Thank you for your correspondence dated February 10, 2017, containing information responding to the January 20, 2017 request by the U.S. Environmental Protection Agency, Region 4, pursuant to Section 308 of the Clean Water Act, 33 U.S.C. § 1318, pertaining to Phoenix Chemical Company, Inc.'s facility (Facility) located at 202 Gee Road in Calhoun, Gordon County, Georgia, and its compliance with the requirements of Sections 301 and 307(d) of the Clean Water Act (CWA), 33 U.S.C. §§ 1311 and 1317(d); and the regulations promulgated thereunder at 40 C.F.R. Parts 403 and 417; the Georgia pretreatment regulations at Ga. Comp. R. & Regs. R. 391-3-6-.08; and Permit No. 1 issued to the Facility by the City of Calhoun, effective November 1, 2016 and expiring November 1, 2017.

The purpose of this letter is to request that Phoenix Chemical Company, Inc. respond to the enclosed Supplemental Information Request to supplement the information you previously provided. Therefore, pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, the EPA hereby requests that Phoenix Chemical Company, Inc. provide the information set forth in Enclosure A within twenty-one (21) calendar days of your receipt of this letter.

Your response should be submitted to:

U.S. Environmental Protection Agency, Region 4
Water Protection Division - NPEB
Attn: Mr. Brad Ammons
61 Forsyth Street, S.W., Mailcode 9T25
Atlanta, Georgia 30303-8960

All information submitted must be accompanied by the following certification signed by a duly authorized company official in accordance with 40 C.F.R. § 403.12(l):

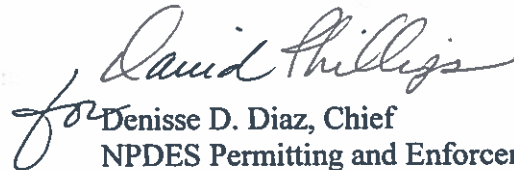
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to provide a full and complete response to this information request or to adequately justify a failure to respond within the time frame specified above may result in an EPA enforcement action pursuant to federal law, including, but not limited to 33 U.S.C. § 1319 and 18 U.S.C. § 1001.

If Phoenix Chemical Company, Inc. believes that any of the requested information constitutes confidential business information, it may assert a confidentiality claim with respect to such information, except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

The EPA appreciates your prompt attention to this matter. Should you have any questions regarding this letter, please contact Mr. Brad Ammons at (404) 562-9769. Legal inquiries should be directed to Ms. Suzanne Armor, Associate Regional Counsel, at (404) 562-9701.

Sincerely,



for Denise D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures

cc: Mr. Bert Langley
Georgia Environmental Protection Division

Mr. Jerry Crawford
City of Calhoun Wastewater Department

ENCLOSURE A

SUPPLEMENTAL INFORMATION REQUEST PURSUANT TO SECTION 308 OF THE CLEAN WATER ACT

Instructions

1. Identify the person(s) responding to this Information Request.
2. Please provide a separate narrative response to each and every Question and subpart of a Question set forth in this Information Request.
3. Precede each answer with the text and the number of the Question and its subpart to which the answer corresponds.
4. All documents submitted must contain a notation indicating the Question and subpart of the Question to which they are responsive.
5. In answering each Information Request Question and subpart thereto, identify all documents and persons consulted, examined or referred to in the preparation of each response, and provide true and accurate copies of all such documents.
6. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to the EPA. Should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify the EPA as soon as possible.
7. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Question to which it responds.
8. Where specific information has not been memorialized in a document, but is nonetheless responsive to a Question, you must respond to the Question with a written response.
9. If information responsive to this Information Request is not in your possession, custody or control, then identify the person from whom such information may be obtained.
10. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Question or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.
11. The EPA requests that all documents provided in an electronic format be compatible with pdf.
12. The EPA requests that all spreadsheet information be in an electronic format and compatible with MS Excel.

13. If any Question relates to activities undertaken by entities other than the recipient of this Information Request, and to the extent that you have information pertaining to such activities, provide such information for each entity.

Definitions

1. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in the Clean Water Act or its implementing regulations, in which case the statutory or regulatory definitions shall control.
2. Words in the masculine may be construed in the feminine if appropriate, and vice versa, and words in the singular may be construed in the plural if appropriate, and vice versa, in the context of a particular question or questions.
3. The terms "And" and "Or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed outside its scope.
4. The term "Identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
5. The term "Identify" means, with respect to a document, to provide its customary business description; its date; its number, if any (invoice or purchase order number); the identity of the author, addressee and/or recipient; and substance of the subject matter.
6. The term "Identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
7. The term "Facility" means the Phoenix Chemical Company, Inc.'s facility located at 202 Gee Road in Calhoun, Gordon County, Georgia.
8. The term "You" and "Your" shall mean Phoenix Chemical Company, Inc.
9. "Control Authority" shall have the meaning set forth in 40 C.F.R. § 403.3(f).

Questions

1. What are the chemical classes, systematic chemical names, and production periods of the Facility's products that have been manufactured during the five-year period prior to this request?
2. Has the Facility produced pesticides since it began production activities? If so, what were the systematic chemical names of the products, and during what timeframe(s) were they produced?
3. How long has the Facility been producing the wetting agents, de-foaming agents, and frothing agents for the carpet and/or textile/denim industries? In response, please denote each product name and identify the corresponding systematic chemical name, type of agent, and production timeframe(s).

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that the EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, the EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, the EPA may make the information available to the public without any further notice to you.

40 C.F.R. § 2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to the EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by the EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.